

REMARKS/ARGUMENTS

Claims 69-74, 78 are pending and presented for examination. Claims 1-68 and 75-77 were previously canceled. Specifically, claims 69-74 and 78-96 were rejected in the Office Action mailed June 13, 2008. Among these rejected claims, claims 79-96 are canceled, and claims 69, 72 have been amended. Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the following remarks.

Claim Amendments

The amendments to claims 69 and 72 further clarify that **electrical connections between the first transfer card and the second interface card occur indirectly**. Support for the amendments may be found in the instant specification, for example, Fig. 5, related texts on page 8, 14-15, that describes that the interface cards 40 of a switched network and interface transfer cards 30 correspond one to one. No new matter is introduced.

Claim Rejections Under 35 U.S.C. § 103

Claims 69-73 and 78 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kastenholz, et al. (U.S. 2006/0007946 A1). Claim 74 is rejected under 35 U.S.C.103(a) as being unpatentable over Kastenholz et al.(US 2006/0007946 A1) in view of Gorshe et al.(US6,667,973).

Examiner asserts that Kastenholz directs Applicant to the rejection of claims 69 and 72 and Figures 2,3 and 5 of Kastenholz, which correlate the first circuit card to **line card module 102**, the first transfer card to **local line card 202**, the second circuit card to **expanded interconnect board 138**, the second transfer card to **ASIC 410a/b**, the first switched network card to **local interconnect module 118**, the first interface card to **interconnect board 218**, and the second interface card to **interconnect board 220**, the first data communication link to **communication lines 217**.

Claims 69 and 72 have been amended to clarify that "a first data link connecting the first transfer card and the first interface card; a second data communication link connecting

the second transfer card and the second interface, wherein **electrical connections between the first transfer card and the second interface card occur indirectly**". The support for the amendments may be found in Fig. 5 of the instant application and related text on page 8, ll. 4-15. Fig. 5 shows that each circuit card 10 corresponds to one interface transfer card 30 that connects with one interface card 40 through a data communication link 50, and the interface card 40 connects with switched network cards 20. The specification (page 8, ll. 12-14) describes that "each circuit card 10 corresponds with one interface card 40 of a switched network, that is the interface cards 40 of a switched network and interface transfer cards 30 correspond **one to one**".

Conversely, Fig. 3 of Kastenholz and related text in paragraph 50 of Kastenholz describes that "the internal I/O ports 202a-202f connect with up to forty-eight internal communication lines 217 and couple information between the local line card module 102 and the local interconnect module 118". The local line card module 102 contains a first transfer card 202. Because the interconnect module 118 has both the first interface card 218 and the second interface card 220, the first transfer card 202 is connected to both the first interface card 218 and the second interface card 220 through communication lines 217. Thus, the first transfer card 202 has **direct electrical connections** to the second interface card 220. In fact, Kastenholz actually thus teaches away from what is recited in the amended claims 69 and 72.

Furthermore, as noted in MPEP 2143.01, part VI, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the reference would not be sufficient to render the claims *prima facie* obvious. The instant specification describes that, for example, page 9, ll. 6-7, "when an interface transfer card 30 is replaced, it is assured that another circuit card 10 will **not be influenced**". Conversely, in the case shown in Fig. 3 of Kastenholz, when the first transfer card 202 is replaced, the electrical connection to the second interface card 220 through communication lines 217 will be **influenced** as a result of using communication lines 217 between the first transfer card 202 and the second interface card 220, so that the second interface card 220 and accordingly the second circuit card 138 will be **influenced**. The suggested

modification of Kastenzholz by the Examiner would require a substantial reconstruction and redesign of the elements shown in Kastenzholz.

For these reasons, each of the independent claims is respectfully believed to be patentable over Kastenzholz. Each of the dependent claims is additionally believed to be patentable by virtue of their dependence from an allowable claim.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Patrick M. Boucher/

Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
PMB:ss
61494371 v1